

NASSAU COUNTY SUPREME COURT  
THE STATE OF NEW YORK

JJSB DOE,

Plaintiff,

v.

DIOCESE OF ROCKVILLE CENTRE,  
GOOD SHEPHERD ROMAN  
CATHOLIC CHURCH,

Defendants.

Index No.:

Filed: October 3, 2019

Plaintiff designates

NASSAU COUNTY as place of trial

The basis of venue is

DEFENDANT'S PRINCIPAL PLACE OF  
BUSINESS (NY CPLR § 503)

Child Victims Act Proceeding (22 NYCRR  
202.72)

Plaintiff resides in Florida

**SUMMONS**

To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within twenty (20) days after service of this summons, exclusive of the day of service (or within thirty (30) days after service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: October 3, 2019

Respectfully submitted,

/s/ Andrew S. Janet

Andrew S. Janet

Seth L. Cardeli

Natalie D'Antonio (pro hac vice to be applied for)

Janet, Janet & Suggs, LLC

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*Attorneys for Plaintiff*

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DIOCESE OF ROCKVILLE CENTRE,  
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**VERIFIED COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, by her attorneys Janet, Janet & Suggs, LLC, as and for their complaint as to Defendants, respectfully show this Honorable Court and allege upon information and belief as follows:

1. This is a claim allowed by the Child Victims Act (CVA), NY CPLR § 214-g and 22 NYCRR § 202.72, because it pertains to intentional or negligent acts or omissions by a person for physical, psychological, or other injury suffered as a result of child sexual abuse. The claim is for negligence; negligent hiring, supervision, monitoring, training, and retention; and negligent infliction of emotional distress; all of which Defendants herein committed upon Plaintiff on or around 1976, and for which Plaintiff seeks compensatory and punitive damages.

**THE PARTIES**

2. At all times relevant to the wrongful conduct complained of herein, Plaintiff JJSB DOE was a resident of the County of Suffolk in the State of New York. She currently resides in Florida and continues to suffer damages there.

3. Plaintiff alleges that sexual offenses, as defined by New York Penal Laws § 130, were committed against Plaintiff when she was a minor. Therefore, Plaintiff is permitted to file and proceed with this action under the pseudonym “JJSB DOE” pursuant to New York Civil Rights Law § 50-b.
4. Defendant DIOCESE OF ROCKVILLE CENTRE (hereinafter, the “DIOCESE”) is a religious corporation organized pursuant to the Religious Corporations Law, with principal offices at 50 N Park Ave., Rockville Centre, NY, doing business as an organized religion included but not limited to the ownership, management, and operation of parishes within the New York City boroughs of Brooklyn and Queens. The DIOCESE operates its affairs as both a corporate entity and as the organization known as the Diocese of Rockville Centre. Both of these entities and all other affiliated corporations and entities controlled by the Bishop are included in this Complaint as the “DIOCESE.” The DIOCESE functions as a business by engaging in numerous revenue-producing activities and soliciting money from its members in exchange for its services.
5. Defendant GOOD SHEPHERD ROMAN CATHOLIC CHURCH (hereinafter, “GOOD SHEPHERD”) is a parish organized pursuant to state law, located at 1370 Grundy Ave., Holbrook, NY 11741.
6. At all relevant times, the DIOCESE created, oversaw, managed, controlled, directed, and/or operated parishes, churches, and/or Catholic schools of the DIOCESE, including GOOD SHEPHERD.
7. At all relevant times, the DIOCESE managed, supervised, employed, directed, and/or controlled all clerics assigned to work in parishes, churches, and/or Catholic schools of the DIOCESE, including Father Jack Moore (“Moore”).

8. At all relevant times, GOOD SHEPHERD managed, supervised, employed, directed, and/or controlled all clerics assigned to work at GOOD SHEPHERD, including Moore.
9. At all relevant times, the DIOCESE and/or GOOD SHEPHERD managed, supervised, employed, directed, and/or controlled Moore.

### **JURISDICTION AND VENUE**

10. The Court has general personal jurisdiction over all Defendants because all of them are residents of the State of New York. The Court also has specific personal jurisdiction over all Defendants because the events at issue all transpired in the State of New York.
11. This Court has subject matter jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.
12. Venue of this proceeding in Nassau County is appropriate pursuant to CPLR § 503.
13. At all relevant times, the Defendant DIOCESE owned, operated, maintained, managed, supervised, and controlled GOOD SHEPHERD by and through its agents, servants, and/or employees.
14. At all relevant times, Moore was working as an agent, servant, and/or employee of the Defendant DIOCESE and/or Defendant GOOD SHEPHERD.
15. The causes of action from which this claim arose occurred at the GOOD SHEPHERD parish.

### **RELATIONSHIP BETWEEN THE PARTIES**

16. The designated bishop of the DIOCESE was responsible for assigning, transferring, and/or suspending all clergy within the DIOCESE. Clergy serve at the Bishop's pleasure and are subject to their authority.

17. Defendants were in a superior position to receive sensitive information regarding immoral and criminal conduct pertaining to Moore and other priests that was of critical importance to the well-being of Plaintiff and other children. This information was not available to the Plaintiff or the public.
18. Defendants explicitly and implicitly, through their words, actions, and teachings, represented to Plaintiff and the public that each of its priests, including Moore, were benevolent and trustworthy stewards of the church who would only act in the best interests of the children whom they served.
19. Defendants explicitly and implicitly, through their words, actions, and teachings, held out their facilities as being safe for children.
20. Through their words and deeds, Defendants invited and encouraged Plaintiff and the public to accept each priest assigned to GOOD SHEPHERD and/or other positions within the DIOCESE, including Moore, to be in good standing, to be men who were worthy of being entrusted with children, and to be worthy of the responsibility for Plaintiff's physical and spiritual safety, thereby inducing Plaintiff to entrust herself to the company and care of Moore.
21. At all times relevant, Plaintiff entrusted her well-being to the DIOCESE, GOOD SHEPHERD, and Moore, and they had a corresponding obligation to be solicitous for, as well as protective of, Plaintiff in the exercise of their positions of trust, confidentiality, and moral authority.
22. The DIOCESE and each of its bishops solicited funds from the parishioners of its parishes through assessments, direct appeals, and/or tuition, which was a primary incentive to focus on the reputation of the Catholic Church to the detriment of all other priorities.

**FACTUAL ALLEGATIONS**

23. These Defendants, as well as the rest of the hierarchy of the Roman Catholic Church, have been aware of the serious problem of sexual abuse of children at Catholic Church facilities since well before the incidents involving the Plaintiff.
24. In or around 1976, Plaintiff JJSB DOE was a minor.
25. In or around 1976, Plaintiff was a spiritual person who was open to discussing religion with priests and other religious figures.
26. On a few occasions in or around 1976, Moore invited Plaintiff, a minor female, and two minor boys into his office.
27. While inside the office, Moore provided the minor children with alcoholic beverages, and engaged in sexual behavior with the minor children, including Plaintiff JJSB DOE.
28. On one occasion, Moore had the minor boys strip naked from the waist down and require them to touch each other.
29. On another occasion, Moore showed Plaintiff how to stimulate Moore manually, which she then did until he ejaculated.
30. On a few subsequent occasions in or around 1976, Plaintiff had to walk her younger sister to GOOD SHEPHERD to attend classes to learn about the Catholic religion.
31. Plaintiff would wait for her sister on or around the property of GOOD SHEPHERD.
32. On several of those occasions, Moore noticed Plaintiff waiting for her sister and invited her into his office, again providing her with alcoholic beverages.
33. On those occasions, while only Moore and Plaintiff were in his office, Moore manually stimulated Plaintiff's genitals and had Plaintiff do the same to him.
34. On at least two of these occasions, Moore required Plaintiff to give him oral sex.

35. On at least two of these occasions, Moore vaginally raped Plaintiff.
36. GOOD SHEPHERD and the DIOCESE had the responsibility to manage, supervise, control and/or direct clerics who served at GOOD SHEPHERD and to be aware of what they were doing on church property.
37. As a direct result of the negligent, grossly negligent, intentional, careless, and/or reckless conduct of the DIOCESE, GOOD SHEPHERD, and their agents, servants, and/or employees, including but not limited to Moore, Plaintiff has suffered serious and severe physical and emotional damages of a permanent and lasting nature, including but not limited to:
- a. physical pain caused by the penetration and/or stress;
  - b. post-traumatic stress disorder;
  - c. ongoing humiliation, embarrassment, shame, and guilt;
  - d. emotional distress;
  - e. severe mental anguish and despair;
  - f. severe anxiety, nervousness, fearfulness, sleep disturbances, and panic attacks;
  - g. depression;
  - h. irritability;
  - i. personality changes;
  - j. physical pain, nausea, and loss of sleep;
  - k. alcohol and/or drug addiction;
  - l. suicidal ideation;
  - m. a loss of faith;
  - n. a loss of enjoyment of life;



- o. a difficulty in trusting and interacting with others, including those in positions of authority and/or those in intimate relationships with Plaintiff;
  - p. a loss of earnings and earning capacity due to the trauma; and
  - q. other damages.
- 38. All of the counts described below involved gross negligence, reckless disregard for Plaintiff's health and safety, and egregious conduct directed at both Plaintiff and the public generally, all of which evinced a high degree of moral turpitude.

### **COUNT I: NEGLIGENCE**

- 39. Plaintiff repeats and re-alleges each and every allegation set forth above as though fully set forth at length herein.
- 40. Defendants GOOD SHEPHERD, the DIOCESE, and Moore each owed Plaintiff a duty to provide her with a safe environment because these Defendants and/or their agents, servants, and/or employees held out their property as a safe place for children and invited Plaintiff onto their property, but the risk of child sexual abuse represented a dangerous condition on the property.
- 41. Plaintiff's care and welfare was entrusted to GOOD SHEPHERD and the DIOCESE when she was on properties and premises that were owned and/or operated by GOOD SHEPHERD and the DIOCESE.
- 42. Defendants GOOD SHEPHERD and the DIOCESE, by and through their agents, servants, and/or employees, knew or reasonably should have known that Moore was not to be trusted around Plaintiff and/or other children. Defendants, by and through their agents, servants At the very least, Defendants knew or should have known that they did not have sufficient information about whether or not the people at GOOD SHEPHERD and other Catholic

institutions within the DIOCESE were safe.

43. Defendants GOOD SHEPHERD and the DIOCESE systematically breached their duty to

Plaintiff by:

- a. placing Moore in a position of trust and authority;
- b. allowing Moore with unsupervised access to children;
- c. failing to properly train and re-train staff who work with children about child supervision and detecting child sexual abuse;
- d. failing to properly monitor and/or supervise Moore;
- e. failing to prevent Moore from committing wrongful sexual acts with children;
- f. failing to properly screen and hire agents, servants, and/or employees;
- g. failing to properly investigate the actions of agents, servants, and/or employees to ensure that children were subjected to safe and appropriate counselors;
- h. failing to monitor for and subsequently investigate acts of sexual abuse and sexual violence committed by Moore, and thereafter reveal such facts to Plaintiff, the public, and/or law enforcement agencies;
- i. failing to implement and/or enforce protocols to ensure that children would not fall victim to sexual predators like Moore;
- j. failing to provide a safe environment where children are not subjected to sexual abuse;
- k. holding Moore out to Plaintiff as being of sufficient moral and ethical repute;
- l. failing to remove Moore from a position where he could act on his propensity and disposition to commit sexual abuse; and
- m. other acts of negligence.

44. It was reasonably foreseeable that if GOOD SHEPHERD and the DIOCESE breached their duty of care, children on church property would be vulnerable to sexual abuse by servants, agents, and/or employees, including Moore.
45. The failure of Defendants GOOD SHEPHERD and the DIOCESE to protect Plaintiff from the foreseeable harm of Moore's sexual misconduct was committed with negligence, gross negligence, wanton recklessness, and/or reckless indifference to Plaintiff.
46. The Defendants' aforementioned negligence directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.
47. WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against GOOD SHEPHERD and the DIOCESE, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

**COUNT II: NEGLIGENT HIRING, SUPERVISION, MONITORING, TRAINING,  
AND RETENTION**

48. Plaintiff repeats and re-alleges each and every allegation set forth above as though fully set forth at length herein.
49. Supervision of agents, servants, and/or employees within Defendants' control is a mandatory and unqualified duty.
50. Defendants GOOD SHEPHERD and the DIOCESE, by and through their agents, servants, and/or employees, each had a duty to engage in reasonable hiring, supervision, monitoring, training, and retention for any employees who interacted with children.
51. Defendants GOOD SHEPHERD and the DIOCESE, by and through their agents, servants, and/or employees, knew or reasonably should have known that Moore was capable of

committing sexual violence against Plaintiff and/or other children.

52. Defendants GOOD SHEPHERD and the DIOCESE failed to properly observe, supervise, and monitor areas and individuals where it was known, knowable, and/or foreseeable that children could be victims of sexual abuse without proper supervision.

53. Defendants GOOD SHEPHERD and the DIOCESE systematically breached their duty to Plaintiff by:

- a. placing Moore in a position of trust and authority;
- b. allowing Moore with unsupervised access to children;
- c. failing to properly train and re-train staff who work with children about child supervision and detecting child sexual abuse;
- d. failing to properly monitor and/or supervise Moore;
- e. failing to prevent Moore from committing wrongful sexual acts with children;
- f. failing to properly screen and hire agents, servants, and/or employees;
- g. failing to properly investigate the actions of agents, servants, and/or employees to ensure that children were subjected to safe and appropriate counselors;
- h. failing to monitor for and subsequently investigate acts of sexual abuse and sexual violence committed by Moore, and thereafter reveal such facts to Plaintiff, the public, and/or law enforcement agencies;
- i. failing to implement and/or enforce protocols to ensure that children would not fall victim to sexual predators like Moore;
- j. failing to provide a safe environment where children are not subjected to sexual abuse;
- k. holding Moore out to Plaintiff as being of sufficient moral and ethical repute;

1. failing to remove Moore from a position where he could act on his propensity and disposition to commit sexual abuse; and
  - m. other acts of negligence.
54. The failure of Defendants GOOD SHEPHERD and the DIOCESE to protect Plaintiff from the foreseeable harm of Moore's sexual misconduct was committed with negligence, gross negligence, wanton recklessness, and/or reckless indifference to Plaintiff.
55. The Defendants' aforementioned negligence directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.
56. WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against GOOD SHEPHERD and the DIOCESE, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

**COUNT III: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS (against GOOD SHEPHERD and the DIOCESE)**

57. Plaintiff repeats and re-alleges each and every allegation set forth above as though fully set forth at length herein.
58. Defendants GOOD SHEPHERD and the DIOCESE, as well as their agents, servants, and/or employees, had a duty not to cause emotional distress to children like Plaintiff.
59. By employing Moore, by allowing Moore to work and/or interact unsupervised with children, by allowing Moore to have opportunities for one-on-one interaction with minor children such as Plaintiff, and by the other negligent acts described above, Defendants GOOD SHEPHERD and the DIOCESE did unreasonably breach their duty to not cause emotional distress to Plaintiff.

60. Defendants GOOD SHEPHERD and the DIOCESE's conduct was outrageous and extreme in character, as they acted with reckless indifference to Plaintiff's safety and subjected Plaintiff to physical danger in negligently hiring Moore and allowing him to interact unsupervised with children, thereby causing Plaintiff to be sexually abused by Moore.
61. It was reasonably foreseeable that if GOOD SHEPHERD and the DIOCESE did not adequately exercise or provide the duty of care owed to Plaintiff, Plaintiff would be vulnerable to sexual abuse by servants, agents, and/or employees, including defendant Moore.
62. The Defendants' aforementioned negligent infliction of emotional distress directly and proximately caused Plaintiff to sustain severe and permanent damages as described above.
63. WHEREFORE, Plaintiff demands judgment for compensatory and punitive damages against GOOD SHEPHERD and the DIOCESE, jointly and severally, in an amount exceeding the monetary jurisdictional limits of any and all lower Courts that would otherwise have jurisdiction, in amounts to be determined upon trial of this action, together with interest, costs, and any other appropriate relief.

### **JURY DEMAND**

Plaintiff demands a trial by jury on all issues so triable. Pursuant to §4 of the New York Child Victims Act, Plaintiff is entitled to a trial preference.

Dated: October 3, 2019

Respectfully submitted,

/s/ Andrew S. Janet  
Andrew S. Janet  
Seth L. Cardeli  
Natalie D'Antonio (pro hac vice to be applied for)

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*Attorneys for Plaintiff*

ATTORNEY VERIFICATION

Andrew S. Janet, an attorney duly admitted to practice law before the Courts of the state of New York, affirms the truth of the following matters under penalty of perjury:

I am a member of the law firm of Janet, Janet & Suggs, LLC, attorneys for the Plaintiff in the action within.

I have read the annexed Summons and Verified Complaint and know the contents thereof are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true.

The sources of my belief as to those matters alleged as upon information and belief are as follows: conversations with my client, investigation of publicly available documents, other research, and review of the file in this matter.

The reason that this verification is being made by me and not the plaintiff personally is that the plaintiff is not currently within the county where I maintain my office for the practice of law.

Dated: October 3, 2019

/s/ Andrew S. Janet  
Andrew S. Janet

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